



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.bpu.state.nj.us

CABLE TELEVISION

IN THE MATTER OF THE PETITION OF)
COMCAST OF GARDEN STATE, L.P. FOR)
A RENEWAL CERTIFICATE OF APPROVAL TO)
CONTINUE TO CONSTRUCT, OPERATE AND)
MAINTAIN A CABLE TELEVISION SYSTEM)
AND CABLE COMMUNICATIONS SYSTEM IN)
AND FOR THE BOROUGH OF AUDUBON,)
COUNTY OF CAMDEN, STATE OF NEW)
JERSEY)

RENEWAL
CERTIFICATE OF APPROVAL

DOCKET NO. CE05090795

SERVICE LIST ATTACHED

BY THE BOARD:

On March 21, 1975, the Board granted Cable Systems Incorporated a Certificate of Approval in Docket No. 749C-6051 for the construction, operation and maintenance of a cable television system in the Borough of Audubon ("Borough"). Due to a series of Board approved transfers, the Certificate was held by Garden State Cablevision, L.P. and on September 26, 1991, the Board issued the Renewal Certificate of Approval in Docket No. CE91020217. Through a series of subsequent transfers, with the required Board approvals, the current holder of the Certificate is Comcast of Garden State, L.P. ("Petitioner"). Although the Petitioner's above referenced Certificate expired on March 21, 2005, Petitioner is authorized to continue to provide cable television service to the Borough pursuant to N.J.S.A. 48:5A-25, pending disposition of proceedings regarding the renewal of its Certificate of Approval.

The Petitioner filed an application for the renewal of its municipal consent with the Borough on June 17, 2004, pursuant to N.J.S.A. 48:5A-23 and N.J.A.C. 14:18-13. The Borough, after public hearing, adopted an ordinance granting renewal municipal consent to the Petitioner on July 26, 2005. The Petitioner formally accepted the terms and conditions of the ordinance on August 30, 2005, in accordance with N.J.S.A. 48:5A-24.

On September 15, 2005, pursuant to N.J.S.A. 48:5A-16, the Petitioner filed with the Board for a renewal of its Certificate of Approval for the Borough. The Board has reviewed the application for municipal consent, the petition for a Renewal Certificate of Approval and the municipal consent ordinance. Based upon this review and the recommendation of the Office of Cable Television, the Board **HEREBY FINDS** the following:

- 1) The Petitioner possesses the requisite legal, character, financial and technical qualifications for the awarding of a Certificate of Approval.
- 2) The design and technical specifications of the system shall ensure that the Petitioner provides safe, adequate and proper service.
- 3) The Petitioner has represented that all previously required construction within the franchise territory is complete.
- 4) The franchise period as stated in the ordinance is 15 years with an automatic renewal provision for a term of ten years thereafter pursuant to N.J.S.A. 48:5A-19 and -25. The Board finds these periods to be of reasonable duration.
- 5) The Borough has reserved the right to review the Petitioner's performance with regard to the ordinance. In the event that the Borough shall find that the Petitioner has not substantially complied with the material terms and conditions of the ordinance, the Borough shall have the right to petition the Board for appropriate administrative action, pursuant to N.J.S.A. 48:5A-47; provided however, that the Borough shall first have given the Petitioner written notice of all alleged instances of non-compliance and an opportunity to cure same within 90 days of that notification. If, after such reasonable notice and opportunity to cure, the Petitioner has not cured any such findings of non-compliance, the Borough may petition the Board for appropriate administrative action including modification and/or termination of the Certificate of Approval.
- 6) The Petitioner shall provide service along any public right-of-way to any person's residence in the franchise territory at tariffed rates for standard and non-standard installation. All installations to commercial establishments will be constructed on a cost basis pursuant to the Petitioner's tariff.
- 7) The Petitioner's rates shall be regulated and tariffs shall be filed for all services in accordance with the rules and regulations of the Federal Communications Commission, the Board and the Office of Cable Television. The Petitioner shall maintain informational tariffs for unregulated service rates, and promptly file any revisions thereto.
- 8) Pursuant to statutory requirements, the ordinance specifies a complaint officer to receive and act upon complaints filed by subscribers in the Borough. In this case, it is the Office of Cable Television. All complaints shall be received and processed in accordance with any applicable rules.
- 9) The Petitioner shall maintain a local business office or agent for the purpose of receiving, investigating and resolving complaints. The Petitioner currently maintains local offices located at 1250 Haddonfield-Berlin Road, Cherry Hill, New Jersey; 558 Lakehurst Road, Browns Mills, New Jersey; and 144 S. Broadway, Pitman, New Jersey.
- 10) The franchise fee to be paid to the Borough is specified to be 2% of the Petitioner's gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for its cable television reception service in the Borough. Additional regulatory fees shall be paid to the State in an amount not to exceed 2% of Petitioner's gross operating revenues derived from intrastate operations. The Board finds these fees to be reasonable.

- 11) The Petitioner shall provide public, educational, and governmental ("PEG") access services, equipment and facilities as described in the application and the ordinance. The Petitioner shall continue to offer a shared educational and governmental ("EG") access channel for the use of residents of the Borough, Audubon Park Borough, Barrington Borough, Haddon Heights Borough, Haddon Township, Haddonfield Borough, Lawnside Borough, Oaklyn Borough and Woodlynne Borough. The governing bodies of the municipalities listed shall be responsible for developing, implementing and enforcing rules for the EG access channel, as stipulated in the ordinance. The Petitioner shall continue to offer a community bulletin board.
- 12) Within six months of receipt of this Certificate, the Petitioner shall provide the Borough with a one time technology grant in the amount of \$25,000.00 for use as the Borough deems appropriate. Upon satisfaction, the Petitioner shall provide the Office of Cable Television with written confirmation of same.
- 13) The Petitioner shall provide standard installation and total preferred cable television service, free of charge, to one outlet to each police, fire, emergency management facility, community center and public library in the Borough, provided the facility is within 175 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the Borough. Monthly service charges shall be waived on all additional outlets.
- 14) The Petitioner shall provide or continue to provide standard installation and total preferred cable television service, free of charge, to one outlet in each school in the Borough, public and private, elementary, intermediate and secondary, provided the school is within 175 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the school requesting service. Monthly service charges shall be waived on all additional outlets.
- 15) The Petitioner shall provide free basic Internet service via high-speed cable modem on one non-networked personal computer in each qualified existing and future public school in the Borough, elementary, intermediate and secondary, at no charge, provided the facility is within 175 feet of active cable distribution plant. The Internet service shall be installed on a personal computer that is accessible to the students and shall not be used for administrative purposes only.
- 16) The Petitioner shall provide free basic Internet service via high-speed cable modem on one non-networked personal computer in each qualified existing and future public library in the Borough, at no charge, provided the facility is within 175 feet of active cable distribution plant. The Internet service shall be installed on a personal computer that is accessible to the library patrons and shall not be used for administrative purposes only.

Based upon these findings, the Board **HEREBY CONCLUDES** that, pursuant to N.J.S.A. 48:5A-17(a) and 28(c), the Petitioner has the municipal consent necessary to support the petition, that such consent and issuance thereof are in conformity with the requirements of N.J.S.A. 48:5A-1 et seq., that the Petitioner has complied or is ready to comply with all applicable rules and regulations imposed by or pursuant to State and federal law as preconditions for engaging in the proposed cable television operations, that the Petitioner has sufficient financial and technical capacity, meets the legal, character and other qualifications necessary to construct, maintain and operate the necessary installations, lines and equipment, and is capable of providing the proposed service in a safe, adequate and proper manner.

Therefore, the Petitioner is HEREBY ISSUED this Renewal Certificate of Approval as evidence of Petitioner's authority to construct and operate a cable television system within the entirety of the Borough.

This Certificate is subject to all applicable State and federal laws, the rules and regulations of the Office of Cable Television, and any such lawful terms, conditions and limitations as currently exist or may hereafter be attached to the exercise of the privileges granted herein. The Petitioner shall adhere to the operating standards set forth by the Federal Communications Commission's rules and regulations, 47 C.F.R. §76.1 et seq. including but not limited to, the technical standards 47 C.F.R. §76.601 through §76.630. Any modifications to the provisions thereof shall be incorporated into this Certificate.


Failure to comply with all applicable laws, rules, regulations and orders of the Board or the Office of Cable Television and/or the terms, conditions and limitations set forth herein may constitute sufficient grounds for the suspension or revocation of this Certificate.

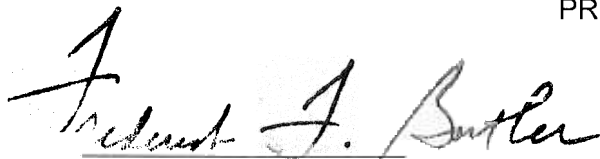
This Renewal Certificate is issued on the representation that the statements contained in the Petitioner's applications are true, and the undertakings therein contained shall be adhered to and enforceable unless specific waiver is granted by the Office of Cable Television pursuant to the authority contained in N.J.S.A. 48:5A-1 et seq.

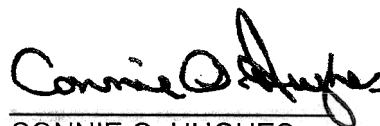
This Certificate shall expire March 21, 2020.

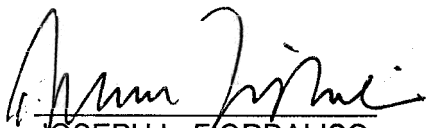
DATED: 3/22/06

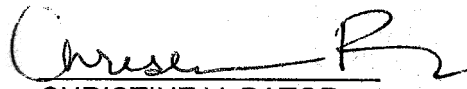
BOARD OF PUBLIC UTILITIES
BY:


JEANNE M. FOX
PRESIDENT


FREDERICK F. BUTLER
COMMISSIONER


CONNIE O. HUGHES
COMMISSIONER

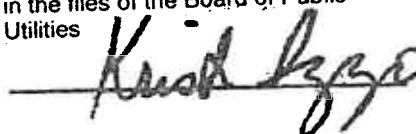

JOSEPH L. FIRDALISO
COMMISSIONER


CHRISTINE V. BATOR
COMMISSIONER

ATTEST:


KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



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